

NOTICE OF OBJECTION TO CONFIRMATION

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CREDIT SUISSE FIRST BOSTON MORTGAGE ACCEPTANCE CORP., CSFB MORTGAGE-BACKED PASS-THROUGH CERTIFICATES, SERIES 2005-11 has filed papers with the Court to object to the Confirmation of the Modified Chapter 13 Plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to object to the Confirmation of the Modified Chapter 13 Plan, or if you want the Court to consider your views on the Objection, then on or before, you or your attorney must:

File with the Court an answer, explaining your position at:

**Clerk
U.S. Bankruptcy Court
50 Walnut Street, 3rd Floor
Newark, NJ 07102**

If you mail your response to the Court for filing, you must mail it early enough so that the Court will *receive* it on or before the date stated above.

You must also mail a copy to:

Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054

MARIE-ANN GREENBERG, Trustee
30 TWO BRIDGES RD
SUITE 330
FAIRFIELD, NJ 07004

Attend the hearing scheduled to be held on 12/13/2017 in the NEWARK Bankruptcy Court, at the following address:

**U.S. Bankruptcy Court
50 Walnut Street, 3rd Floor
Newark, NJ 07102**

If you or your attorney do not make these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Date: October 27, 2017

/s/ Nicholas V. Rogers

Nicholas V. Rogers, Esq.

Phelan Hallinan Diamond & Jones, PC

400 Fellowship Road, Suite 100

Mt. Laurel, NJ 08054

Tel: 856-813-5500 Ext. 42689

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File No. 792788

Phelan Hallinan Diamond & Jones, PC

400 Fellowship Road

Mt. Laurel, NJ 08054

856-813-5500

FAX Number 856-813-5501

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CREDIT SUISSE FIRST BOSTON MORTGAGE ACCEPTANCE CORP., CSFB MORTGAGE-BACKED PASS-THROUGH CERTIFICATES, SERIES 2005-11

In Re:

JOSEPH R NELSON

Debtor

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY
NEWARK VICINAGE

Chapter 13

Case No. 17-18315 - SLM

Hearing Date: 12/13/2017

The undersigned, Phelan Hallinan Diamond & Jones, PC, attorneys for Secured Creditor, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CREDIT SUISSE FIRST BOSTON MORTGAGE ACCEPTANCE CORP., CSFB MORTGAGE-BACKED PASS-THROUGH CERTIFICATES, SERIES 2005-11, the holder of a Mortgage on debtor's residence located at 232 ORANGE AVENUE, IRVINGTON, NJ 07111, hereby objects to the Confirmation of the debtor's proposed Modified Chapter 13 Plan on the following grounds:

1. Secured Creditor is U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CREDIT SUISSE FIRST BOSTON MORTGAGE ACCEPTANCE CORP., CSFB MORTGAGE-BACKED PASS-THROUGH CERTIFICATES, SERIES 2005-11.
2. Debtor, JOSEPH R NELSON, is an owner of the property located at 232 ORANGE AVENUE, IRVINGTON, NJ 07111.
3. On June 1, 2017, Secured Creditor filed a Proof of Claim listing pre-petition arrears in the amount of \$75,471.45.
4. Debtor's Modified Plan fails to cure the delinquency pursuant to 11 U.S.C. §1322(b)(5).

5. Debtor's Modified Plan currently provides for no payment to Secured Creditor. Debtor's Modified Plan provides for the Debtor's pursuit of a loan modification. Debtor's Modified Plan is speculative in nature in that the Plan contemplates curing the arrears through a loan modification that has neither been offered nor approved.

6. Secured Creditor objects to Debtor's Modified Plan as the Plan needs to fund the arrears owed to Secured Creditor during the term of the Plan rather than rely on speculation that is based on the possibility of a loan modification that has neither been offered nor approved. Furthermore, Debtor's Modified Plan needs to provide for on-going, post-petition regular monthly mortgage payments to Secured Creditor. Absent a modification by the Debtor, confirmation of the Debtor's proposed Modified Plan should be denied.

7. Secured Creditor's Proof of Claim lists a post-petition payment in the amount of \$2,154.86.

WHEREFORE, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CREDIT SUISSE FIRST BOSTON MORTGAGE ACCEPTANCE CORP., CSFB MORTGAGE-BACKED PASS-THROUGH CERTIFICATES, SERIES 2005-11 respectfully requests that the Confirmation of Debtor's Modified Plan be denied.

/s/ Nicholas V. Rogers
Nicholas V. Rogers, Esq.
Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054
Tel: 856-813-5500 Ext. 42689
Fax: 856-813-5501
Email: nicholas.rogers@phelanhallinan.com

Dated: October 27, 2017

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

792788
PHELAN HALLINAN DIAMOND & JONES, PC
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Attorneys for U.S. BANK NATIONAL
ASSOCIATION, AS TRUSTEE FOR CREDIT
SUISSE FIRST BOSTON MORTGAGE
ACCEPTANCE CORP., CSFB MORTGAGE-
BACKED PASS-THROUGH CERTIFICATES,
SERIES 2005-11

In Re:

JOSEPH R NELSON

Case No: 17-18315 - SLM

Hearing Date: 12/13/2017

Judge: STACEY L. MEISEL

Chapter: 13

CERTIFICATION OF SERVICE

1. I, Marc Schroeder:

☐ represent the _____ in the above-captioned matter.

☒ am the secretary/paralegal for Phelan Hallinan Diamond & Jones, PC, who represents U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CREDIT SUISSE FIRST BOSTON MORTGAGE ACCEPTANCE CORP., CSFB MORTGAGE-BACKED PASS-THROUGH CERTIFICATES, SERIES 2005-11 in the above captioned matter.

☐ am the _____ in the above case and am representing myself.

2. On October 27, 2017 I sent a copy of the following pleadings and/or documents to the parties listed below:

Objection to Plan

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: October 27, 2017

/s/ Marc Schroeder
Marc Schroeder

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
JOSEPH R NELSON 232 ORANGE AVENUE IRVINGTON, NJ 07111	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
JOSEPH R NELSON 710 CHESNUT STEET ROSELLE, NJ 07203	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
PETROLIN NELSON 232 ORANGE AVENUE IRVINGTON, NJ 07111	Non-Filing Co-Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
WALTER D. NEALY, Esquire 100 SOUTH VAN BRUNT ST. ENGLEWOOD, NJ 07631	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail

		<input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
MARIE-ANN GREENBERG, Trustee 30 TWO BRIDGES RD SUITE 330 FAIRFIELD, NJ 07004	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.